Filed: 8/5/2020 3:34 PM
Lynne Finley
District Clerk
Collin County, Texas
By Alicia Hamblin Deputy
Envelope ID: 45130901

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

NO. 417-53803-2020

IN THE INTEREST OF	**§**	**IN THE DISTRICT COURT**
	§	
S.L., J.L., AND L.L.	**§**	**417th JUDICIAL DISTRICT**
	§	
MINOR CHILDREN	**§**	**COLLIN COUNTY, TEXAS**

COUNTER PETITION TO MODIFY PARENT-CHILD RELATIONSHIP

1. Discovery Level

Discovery in this case is intended to be conducted under level 2 of rule 190 of the Texas Rules of Civil Procedure.

2. Objection to Assignment of Case to Associate Judge

Counter Petitioner objects to the assignment of this matter to an associate judge for a trial on the merits or presiding at a jury trial.

3. Parties and Order to Be Modified

This suit to modify a prior order is brought by Kelly Long, Counter Petitioner. The last three numbers of Kelly Long's Social Security number are 991. Counter Petitioner is the mother of the child and has standing to bring this suit. The requested modification will be in the best interest of the children.

Counter Counter Respondent is Michael Long.

The order to be modified is entitled Final Order and was rendered on July 7, 2020. **A copy is attached as Exhibit A to this petition for all intents and purposes.**

4. Jurisdiction

This Court has continuing, exclusive jurisdiction of this suit.

5. Children

The following children is the subject of this suit:

Name: Sophie Long
Sex: Female
Birth date: 09/16/2010
County of residence: Colling County, Texas

Name: Jack Long
Sex: Male
Birth date: 11/11/2012
County of residence: Collin County, Texas

Name: Lucas Long
Sex: Male
Birthday: 12/19/2013
County of residence: Collin County, Texas

6. Parties Affected

The following parties may be affected by this suit:

Name: Michael Long

Relationship: father

Process should be served at 3109 Douglas Fir Drive, New Braunfels, Texas 78130

Name: Office of the Attorney General for the State of Texas

Process should be served.

7. Insurance Information

Information required by section 154.181(b) and section 154.1815 of the Texas Family Code is provided in the statements will be supplemented to the court at a later date in time.

8. Children's Property

There has been no change of consequence in the status of the children's property since the prior order was rendered.

9. Protective Order Statement

No protective order under title 4 of the Texas Family Code, protective order under Chapter 7A of the Texas Code of Criminal Procedure, or order for emergency protection under Article 17.292 of the Texas Code of Criminal Procedure is in effect in regard to a party to this suit or a child of a party to this suit and no application for any such order is pending.

10. Modification of Conservatorship, Possession and Access

The order to be modified is not based on a mediated or collaborative law settlement agreement. The circumstances of the child, a conservator, or other party affected by the order to be modified have materially and substantially changed since the date of rendition of the order to be modified. Please see attached **Affidavit as Exhibit B** for all intents and purposes.

Counter Petitioner requests that the rights and duties of the respective conservators of the child be modified to provide as follows: That Counter Petitioner be named as the sole managing conservator of the children and that Counter Respondent have limited rights and that his possession and access be limited and that the children are placed in counseling.

Counter Petitioner believes that the parties will enter into a written agreement containing provisions for modification of the order providing for possession of and access to the children.

Counter Petitioner requests the Court to appoint a parenting coordinator. This case is a high-conflict case.

The requested modification is in the best interest of the children.

11. Support

The order to be modified is not based on a mediated or collaborative law settlement

agreement. The circumstances of the children or a person affected by the order have materially and substantially changed since the date of the rendition of the order to be modified, and the support payments previously ordered should be modified and increased.

The requested modification is in the best interest of the child.

12. Request for Temporary Orders

Counter Petitioner requests the Court, after notice and hearing, to make temporary orders for the safety and welfare of the child, including but not limited to the following:

Appointing Counter Petitioner the temporary conservator who has the right to designate the primary residence of the children.

Ordering Counter Respondent to provide support for the child, including the payment of child support and medical and dental support in the manner specified by the Court, while this case is pending.

Ordering reasonable periods of electronic communication between the child and Counter Petitioner to supplement Counter Petitioner's periods of possession of the children.

Restricting the primary residence of the children to Collin and contiguous counties.

Denying Counter Respondent access to the children or, alternatively, rendering a possession order providing that Counter Respondent's periods of visitation be continuously supervised.

Ordering the preparation of a child custody evaluation regarding the circumstances and condition of the children, the parties, and the residence of any person requesting conservatorship of, possession of, or access to the children and any other issue or question relating to the suit at the request of the Court before or during the evaluation process.

Ordering the psychological evaluation of Father and the children.

Ordering Counter Respondent to submit to drug testing.

Ordering the parties to attend a parent education and family stabilization course.

Appointing a parenting coordinator. This case is a high conflict case.

Ordering Counter Respondent to produce copies of income tax returns for tax years 2018, 2019, 2020, a financial statement, and current pay stubs by a date certain.

Ordering an Amicus attorney appointed by court to determine children's best interest in terms of conservatorship, possession and access and any other relevant recommendations due to the high conflict case, and safety and well-being of the children.

Ordering Counter Respondent to pay sole cost of parenting facilitator and amicus attorney.

Ordering Children to attend counseling at Counter Respondent's cost.

Ordering Injunction against Counter Respondent from traveling with the children outside of Texas.

Ordering Mother/Counter-Petitioner to be allowed to hold passports of the children, travel restrictions in place.

Ordering Counter Respondent ordered to post a bond of $5,000 with the court registry in order to gain compliance with court orders due to Counter Respondent's history of failing to follow court orders.

Ordering Counter Respondent to pay reasonable interim attorney's fees and expenses.

Ordering a pretrial conference to simplify the issues in this case and determine the stipulations of the parties and for any other matters the Court deems appropriate.

With regard to the requested temporary orders for managing conservatorship and residence restriction, Counter Petitioner would show the Court the following:

These temporary orders are necessary because the child's present circumstances would significantly impair the children's physical health or emotional development, and the requested temporary order is in the best interest of the child. **See the affidavit of Counter Petitioner attached as Exhibit B and attached hereto for all intents and circumstances.**

13. Request for Temporary Orders and Injunction

Counter Petitioner requests the Court to dispense with the necessity of a bond, and Counter Petitioner requests that, after notice and hearing, Counter Respondent be further restrained and enjoined, pending the further order of the Court, from:

Disturbing the children or Counter Petitioner or interfering in any way with Counter Petitioner's possession of the children by taking or attempting to take possession of the children, directly or through any other person, from the residence, school, or any other place.

Withdrawing the child from enrollment in the school or day-care facility where the children is presently enrolled.

Hiding or secreting the children from Counter Petitioner.

Making disparaging remarks regarding Counter Petitioner or Counter Petitioner's family in the presence or within the hearing of the children.

Discussing any litigation concerning the child in the presence or within the hearing of the children.

Consuming alcohol within the 48 hours before or during the period of possession of or access to the children.

Canceling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time this suit was filed of, any health or dental insurance policy insuring the children.

Amicus attorney appointed by court to determine children's best interest in terms of conservatorship, possession and access and any other relevant recommendations due to the high conflict case, and safety and well-being of the children. Counter Respondent to pay sole cost of parenting facilitator and amicus attorney.

Children to attend counseling at Counter Respondent's cost.

Injunction against Counter Respondent from traveling with the children outside of Texas.

Mother/Counter Petitioner to be allowed to hold passports of the children, travel restrictions in place.

14. Request for Permanent Injunction

Counter Petitioner requests the Court, after trial on the merits, to grant the following permanent injunction:

a. Counter Respondent be enjoined from threatening and harassing the Counter Petitioner and the children in this suit.

b. Counter Respondent refrain from illegal drug usage and alcohol.

15. Request for Attorney's Fees, Expenses, Costs, and Interest

It was necessary for Counter Petitioner to secure the services of Amber Shemesh, a licensed attorney, to preserve and protect the child's rights. Counter Respondent should be ordered to pay reasonable attorney's fees, expenses, and costs through trial and appeal, and a judgment should be rendered in favor of this attorney and against Counter Respondent and be ordered paid directly to Counter Petitioner's attorney, who may enforce the judgment in the attorney's own name. Counter Petitioner requests postjudgment interest as allowed by law.

16. Prayer

Counter Petitioner prays that citation and notice issue as required by law and that the

Court enter its orders in accordance with the allegations contained in this petition.

Counter Petitioner prays that the Court, after notice and hearing, grant a temporary injunction enjoining Counter Respondent, in conformity with the allegations of this petition, from the acts set forth above while this case is pending.

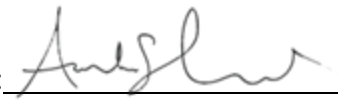
Counter Petitioner prays that, on final hearing, the Court enter a permanent injunction enjoining Counter Respondent, in conformity with the allegations of this petition, from the acts set forth above.

Counter Petitioner prays for attorney's fees, expenses, costs, and interest as requested above.

Counter Petitioner prays for general relief.

Respectfully submitted,

Law Offices of Amber Shemesh, P.C.
12222 Merit Drive, Suite 1200
DALLAS, TX 75251
Tel: (214) 432-2501
Fax: (214) 432-2510

By: 

Amber Shemesh
State Bar No. 24075066
amber@shemeshfamilylaw.com
Attorney for Counter Petitioner, Kelly Long

FILED
C2015-0238D
7/2/2020 2:23 PM
Heather N. Kellar
Comal County
District Clerk
Accepted By:
Sarah Abrego

FILED FOR RECORD
At 4:15 'clock P M
JULY 9, 2020
HEATHER N. KELLAR
CLERK DISTRICT COURT
COMAL COUNTY, TEXAS
BY TET DEPUTY

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

NO. C2015-0238D

IN THE INTEREST OF	§	**IN THE DISTRICT COURT**
	§	
S.L., J.L. AND L.L.	§	**433RD JUDICIAL DISTRICT**
	§	
CHILDREN	§	**COMAL COUNTY, TEXAS**

ORDER IN SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP

On 7/7/2020 the Court heard this case.

Appearances

Petitioner, MICHAEL LONG, appeared in person and through attorney of record, Tracie Wright-Reneau, and announced ready for trial.

Respondent, KELLY LONG, has made a general appearance and has agreed to the terms of this order to the extent permitted by law, as evidenced by Respondent's signature below.

Jurisdiction

The Court, after examining the record and the evidence and argument of counsel, finds that it has jurisdiction of this case and of all the parties and that no other court has continuing, exclusive jurisdiction of this case. All persons entitled to citation were properly cited.

Jury

A jury was waived, and all questions of fact and of law were submitted to the Court.

Record

The making of a record of testimony was waived by the parties with the consent of the Court.

Children

The Court finds that the following children are the subject of this suit:

Name: S.L.
Sex: Female
Birth date: 09/16/2010
Home state: Texas

Name: J.L.
Sex: Male
Birth date: 11/11/2012

7/2/2020 2:36 PM

FWD DCT NS

Home state: Texas

Name: L.L.
Sex: Male
Birth date: 12/19/2013
Home state: Texas

Parenting Plan

The Court finds that the provisions in these orders relating to the rights and duties of the parties with relation to the children, possession of and access to the children, child support, and optimizing the development of a close and continuing relationship between each party and the children constitute the parties' agreed parenting plan.

Conservatorship

The Court finds that the following orders are in the best interest of the children.

IT IS ORDERED that MICHAEL LONG and KELLY LONG are appointed Joint Managing Conservators of the following children: S.L., J.L. and L.L.

IT IS ORDERED that, at all times, MICHAEL LONG and KELLY LONG, as a parent joint managing conservators, shall have the following rights:

1. the right to receive information from any other conservator of the children concerning the health, education, and welfare of the children;

2. the right to confer with the other parent to the extent possible before making a decision concerning the health, education, and welfare of the children;

3. the right of access to medical, dental, psychological, and educational records of the children;

4. the right to consult with a physician, dentist, or psychologist of the children;

5. the right to consult with school officials concerning the children's welfare and educational status, including school activities;

6. the right to attend school activities;

7. the right to be designated on the children's records as a person to be notified in case of an emergency;

8. the right to consent to medical, dental, and surgical treatment during an emergency involving an immediate danger to the health and safety of the children; and

9. the right to manage the estates of the children to the extent the estates have been

created by the parent or the parent's family.

IT IS ORDERED that, at all times, MICHAEL LONG and KELLY LONG, as parent joint managing conservators, shall each have the following duties:

1. the duty to inform the other conservator of the children in a timely manner of significant information concerning the health, education, and welfare of the children;

2. the duty to inform the other conservator of the children if the conservator resides with for at least thirty days, marries, or intends to marry a person who the conservator knows is registered as a sex offender under chapter 62 of the Texas Code of Criminal Procedure or is currently charged with an offense for which on conviction the person would be required to register under that chapter. IT IS ORDERED that notice of this information shall be provided to the other conservator of the children as soon as practicable, but not later than the fortieth day after the date the conservator of the children begins to reside with the person or on the tenth day after the date the marriage occurs, as appropriate. IT IS ORDERED that the notice must include a description of the offense that is the basis of the person's requirement to register as a sex offender or of the offense with which the person is charged. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE;

3. the duty to inform the other conservator of the children if the conservator establishes a residence with a person who the conservator knows is the subject of a final protective order sought by an individual other than the conservator that is in effect on the date the residence with the person is established. IT IS ORDERED that notice of this information shall be provided to the other conservator of the children as soon as practicable, but not later than the thirtieth day after the date the conservator establishes residence with the person who is the subject of the final protective order. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE;

4. the duty to inform the other conservator of the children if the conservator resides with, or allows unsupervised access to a child by, a person who is the subject of a final protective order sought by the conservator after the expiration of sixty-day period following the date the final protective order is issued. IT IS ORDERED that notice of this information shall be provided to the other conservator of the children as soon as practicable, but not later than the ninetieth day after the date the final protective order was issued. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE; and

5. the duty to inform the other conservator of the children if the conservator is the subject of a final protective order issued after the date of the order establishing conservatorship. IT IS ORDERED that notice of this information shall be provided to the other conservator of the children as soon as practicable, but not later than the thirtieth day after the date the final protective order was issued. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO

PROVIDE THIS NOTICE.

IT IS ORDERED that, during his periods of possession, MICHAEL LONG and KELLY LONG, as parent joint managing conservatosr, shall have the following rights and duties:

1. the duty of care, control, protection, and reasonable discipline of the children;

2. the duty to support the children, including providing the children with clothing, food, shelter, and medical and dental care not involving an invasive procedure;

3. the right to consent for the children to medical and dental care not involving an invasive procedure; and

4. the right to direct the moral and religious training of the children.

IT IS ORDERED that MICHAEL LONG, as a parent joint managing conservator, shall have the following rights and duty:

1. the independent right to consent to medical, dental, and surgical treatment involving invasive procedures;

2. the independent right to consent to psychiatric and psychological treatment of the children;

3. the independent right to represent the children in legal action and to make other decisions of substantial legal significance concerning the children;

4. the independent right to consent to marriage and to enlistment in the armed forces of the United States;

5. the independent right to make decisions concerning the children's education;

6. except as provided by section 264.0111 of the Texas Family Code, the independent right to the services and earnings of the children;

7. except when a guardian of the children's estates or a guardian or attorney ad litem has been appointed for the children, the independent right to act as an agent of the children in relation to the children's estates if the children's action is required by a state, the United States, or a foreign government; and

8. the independent duty to manage the estates of the children to the extent the estates have been created by community property or the joint property of the parent.

IT IS ORDERED that KELLY LONG, as a parent joint managing conservator, shall have the following rights and duty:

1. the exclusive right to designate the primary residence of the children within Collin, Denton, or Bexar Counties or any county between them in the I-35 corridor.

2. the independent right to consent to medical, dental, and surgical treatment involving invasive procedures;

3. the independent right to consent to psychiatric and psychological treatment of the children;

4. the exclusive right to receive and give receipt for periodic payments for the support of the children and to hold or disburse these funds for the benefit of the children;

5. the independent right to represent the children in legal action and to make other decisions of substantial legal significance concerning the children;

6. the independent right to consent to marriage and to enlistment in the armed forces of the United States;

7. the independent right to make decisions concerning the children's education;

8. except as provided by section 264.0111 of the Texas Family Code, the independent right to the services and earnings of the children;

9. except when a guardian of the children's estates or a guardian or attorney ad litem has been appointed for the children, the independent right to act as an agent of the children in relation to the children's estates if the children's action is required by a state, the United States, or a foreign government; and

10. the independent duty to manage the estates of the children to the extent the estates have been created by community property or the joint property of the parents.

Although the parties are appointed joint managing conservators, the parties agree and IT IS ORDERED that if the parties cannot reach an agreement as to the above rights and duties then KELLY LONG shall make the final determination on the disputed matter.

The Court finds that, in accordance with section 153.001 of the Texas Family Code, it is the public policy of Texas to assure that children will have frequent and continuing contact with parents who have shown the ability to act in the best interest of the child, to provide a safe, stable, and nonviolent environment for the child, and to encourage parents to share in the rights and duties of raising their child after the parents have separated or dissolved their marriage. IT IS ORDERED that the primary residence of the children shall be within Collin, Denton, or Bexar Counties or any county between them in the I-35 corridor, and the parties shall not remove the

children from Collin, Denton, or Bexar Counties or any county between them in the I-35 corridor, for the purpose of changing the primary residence of the children until modified by further order of the court of continuing jurisdiction or by written agreement signed by the parties and filed with the court.

Possession and Access

1. Standard Possession Order

IT IS ORDERED that each conservator shall comply with all terms and conditions of this Standard Possession Order. IT IS ORDERED that this Standard Possession Order is effective immediately and applies to all periods of possession occurring on and after the date the Court signs this Standard Possession Order. IT IS, THEREFORE, ORDERED:

(a) Definitions

1. In this Standard Possession Order "school" means the elementary or secondary school in which the child is enrolled or, if the child is not enrolled in an elementary or secondary school, the public school district in which the child primarily resides.

2. In this Standard Possession Order "child" includes each child, whether one or more, who is a subject of this suit while that child is under the age of eighteen years and not otherwise emancipated.

(b) Mutual Agreement or Specified Terms for Possession

IT IS ORDERED that the conservators shall have possession of the child at times mutually agreed to in advance by the parties, and, in the absence of mutual agreement, it is ORDERED that the conservators shall have possession of the child under the specified terms set out in this Standard Possession Order.

(c) Parents Who Reside 100 Miles or Less Apart

Except as otherwise expressly provided in this Standard Possession Order, when MICHAEL LONG resides 100 miles or less from the primary residence of the child, MICHAEL LONG shall have the right to possession of the child as follows:

1. Weekends –

On weekends that occur during the regular school term, beginning at 6:00 p.m., on the first, third, and fifth Friday of each month and ending at 6:00 p.m. on the following Sunday.

On weekends that do not occur during the regular school term, beginning at 6:00 p.m., on the first, third, and fifth Friday of each month and ending at 6:00 p.m. on the following Sunday.

2. Weekend Possession Extended by a Holiday –

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by MICHAEL LONG begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday that falls on a Friday during the summer months when school is not in session, that weekend period of possession shall begin at 6:00 p.m. on the immediately preceding Thursday.

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by MICHAEL LONG ends on or is immediately followed by a student holiday or a teacher in-service day that falls on a Monday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday that falls on a Monday during the summer months when school is not in session, that weekend period of possession shall end at 6:00 p.m. on that Monday.

3. Thursdays - On Thursday of each week during the regular school term, beginning at 6:00 p.m. and ending at 8:00 p.m.

4. Spring Vacation in Even-Numbered Years - In even-numbered years, beginning at 6:00 p.m. on the day the child is dismissed from school for the school's spring vacation and ending at 6:00 p.m. on the day before school resumes after that vacation.

5. Extended Summer Possession by MICHAEL LONG –

With Written Notice by April 1 - If MICHAEL LONG gives KELLY LONG written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, MICHAEL LONG shall have possession of the child for thirty days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice, provided that the period or periods of extended summer possession do not interfere with Father's Day possession. These periods of possession shall begin and end at 6:00 p.m. on each applicable day.

Without Written Notice by April 1 - If MICHAEL LONG does not give

KELLY LONG written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, MICHAEL LONG shall have possession of the child for thirty consecutive days in that year beginning at 6:00 p.m. on July 1 and ending at 6:00 p.m. on July 31.

Notwithstanding the Thursday periods of possession during the regular school term and the weekend periods of possession ORDERED for MICHAEL LONG, it is expressly ORDERED that KELLY LONG shall have a superior right of possession of the child as follows:

1. Spring Vacation in Odd-Numbered Years - In odd-numbered years, beginning at 6:00 p.m. on the day the child is dismissed from school for the school's spring vacation and ending at 6:00 p.m. on the day before school resumes after that vacation.

2. Summer Weekend Possession by KELLY LONG - If KELLY LONG gives MICHAEL LONG written notice by April 15 of a year, KELLY LONG shall have possession of the child on any one weekend beginning at 6:00 p.m. on Friday and ending at 6:00 p.m. on the following Sunday during any one period of the extended summer possession by MICHAEL LONG in that year, provided that KELLY LONG picks up the child from MICHAEL LONG and returns the child to that same place.

3. Extended Summer Possession by KELLY LONG - If KELLY LONG gives MICHAEL LONG written notice by April 15 of a year or gives MICHAEL LONG fourteen days' written notice on or after April 16 of a year, KELLY LONG may designate one weekend beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation, during which an otherwise scheduled weekend period of possession by MICHAEL LONG shall not take place in that year, provided that the weekend so designated does not interfere with MICHAEL LONG's period or periods of extended summer possession or Father's Day possession.

(d) Parents Who Reside More Than 100 Miles Apart

Except as otherwise expressly provided in this Standard Possession Order, when MICHAEL LONG resides more than 100 miles from the residence of the child, MICHAEL LONG shall have the right to possession of the child as follows:

1. Weekend Periods of Possession

   a. Weekends in 2017 - MICHAEL LONG shall have possession of the children one weekend per month beginning Fridat at 5:00 p.m. and ending Sunday at 5:00 p.m. to be designated by MICHAEL LONG on or before August 18, 2017.

b. Weekends beginning in 2018- MICHAEL LONG shall have possession of the children one weekend per month beginning on Friday at 5:00 p.m. and ending on Sunday at 5:00 p.m. to be designated 14 days before the day school is to begin for that calendar year.

c. Change of School-If any child changes school districts during the school year then MICHAEL LONG may designate new weekends to exercise possession for that school year.

2. Weekend Possession Extended by a Holiday –

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by MICHAEL LONG begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday during the summer months when school is not in session, that weekend period of possession shall begin at 6:00 p.m. on the immediately preceding Thursday

Except as otherwise expressly provided in this Standard Possession Order, if a weekend period of possession by MICHAEL LONG ends on or is immediately followed by a student holiday or a teacher in-service day that falls on a Monday during the regular school term, as determined by the school in which the child is enrolled, or a federal, state, or local holiday that falls on a Monday during the summer months when school is not in session, that weekend period of possession shall end at 6:00 p.m. on that Monday.

3. Spring Vacation in All Years - Every year, beginning at 6:00 p.m. on the day the child is dismissed from school for the school's spring vacation and ending at 6:00 p.m. on the day before school resumes after that vacation.

4. Extended Summer Possession by MICHAEL LONG –

With Written Notice by April 1 - If MICHAEL LONG gives KELLY LONG written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, MICHAEL LONG shall have possession of the child for forty-two days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice, provided that the period or periods of extended summer possession do not interfere with Father's Day possession. These periods of possession shall begin and end at 6:00 p.m. on each applicable day.

Without Written Notice by April 1 - If MICHAEL LONG does not give KELLY LONG written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, MICHAEL LONG shall have possession of the child for forty-two consecutive days beginning at 6:00 p.m. on June 15 and ending at 6:00 p.m. on July 27 of that year.

Notwithstanding the weekend periods of possession ORDERED for MICHAEL LONG, it is expressly ORDERED that KELLY LONG shall have a superior right of possession of the child as follows:

1. Summer Weekend Possession by KELLY LONG - If KELLY LONG gives MICHAEL LONG written notice by April 15 of a year, KELLY LONG shall have possession of the child on any one weekend beginning at 6:00 p.m. on Friday and ending at 6:00 p.m. on the following Sunday during any one period of possession by MICHAEL LONG during MICHAEL LONG's extended summer possession in that year, provided that if a period of possession by MICHAEL LONG in that year exceeds thirty days, KELLY LONG may have possession of the child under the terms of this provision on any two nonconsecutive weekends during that period and provided that KELLY LONG picks up the child from MICHAEL LONG and returns the child to that same place.

2. Extended Summer Possession by KELLY LONG - If KELLY LONG gives MICHAEL LONG written notice by April 15 of a year, KELLY LONG may designate twenty-one days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, during which MICHAEL LONG shall not have possession of the child, provided that the period or periods so designated do not interfere with MICHAEL LONG's period or periods of extended summer possession or Father's Day possession. These periods of possession shall begin and end at 6:00 p.m. on each applicable day.

(e) Holidays Unaffected by Distance

Notwithstanding the weekend and Thursday periods of possession of MICHAEL LONG, KELLY LONG and MICHAEL LONG shall have the right to possession of the child as follows:

1. Christmas Holidays in Even-Numbered Years - In even-numbered years, MICHAEL LONG shall have the right to possession of the child beginning at 6:00 p.m. on the day the child is dismissed from school for the Christmas school vacation and ending at noon on December 28, and KELLY LONG shall have the right to possession of the child beginning at noon on December 28 and

ending at 6:00 p.m. on the day before school resumes after that Christmas school vacation.

2. Christmas Holidays in Odd-Numbered Years - In odd-numbered years, KELLY LONG shall have the right to possession of the child beginning at 6:00 p.m. on the day the child is dismissed from school for the Christmas school vacation and ending at noon on December 28, and MICHAEL LONG shall have the right to possession of the child beginning at noon on December 28 and ending at 6:00 p.m. on the day before school resumes after that Christmas school vacation.

3. Thanksgiving in Odd-Numbered Years - In odd-numbered years, MICHAEL LONG shall have the right to possession of the child beginning at 6:00 p.m. on the day the child is dismissed from school for the Thanksgiving holiday and ending at 6:00 p.m. on the Sunday following Thanksgiving.

4. Thanksgiving in Even-Numbered Years - In even-numbered years, KELLY LONG shall have the right to possession of the child beginning at 6:00 p.m. on the day the child is dismissed from school for the Thanksgiving holiday and ending at 6:00 p.m. on the Sunday following Thanksgiving.

5. Child's Birthday - If a parent is not otherwise entitled under this Standard Possession Order to present possession of a child on the child's birthday, that parent shall have possession of the child and the child's minor siblings beginning at 6:00 p.m. and ending at 8:00 p.m. on that day, provided that that parent picks up the children from the other parent's residence and returns the children to that same place.

6. Father's Day - MICHAEL LONG shall have the right to possession of the child each year, beginning at 6:00 p.m. on the Friday preceding Father's Day and ending at 6:00 p.m. on Father's Day, provided that if MICHAEL LONG is not otherwise entitled under this Standard Possession Order to present possession of the child, he shall pick up the child from KELLY LONG's residence and return the child to that same place.

7. Mother's Day - KELLY LONG shall have the right to possession of the child each year, beginning at 6:00 p.m. on the Friday preceding Mother's Day and ending at 6:00 p.m. on Mother's Day, provided that if KELLY LONG is not otherwise entitled under this Standard Possession Order to present possession of the child, she shall pick up the child from MICHAEL LONG's residence and return the child to that same place.

(f) Undesignated Periods of Possession

KELLY LONG shall have the right of possession of the child at all other times not specifically designated in this Standard Possession Order for MICHAEL

LONG.

(g) General Terms and Conditions

Except as otherwise expressly provided in this Standard Possession Order, the terms and conditions of possession of the child that apply regardless of the distance between the residence of a parent and the child are as follows:

1. Surrender of Child by KELLY LONG - KELLY LONG is ORDERED to surrender the child to MICHAEL LONG at the beginning of each period of MICHAEL LONG's possession at 4273 N Interstate Hwy 35, Waco, TX 76705.

2. Surrender of Child MICHAEL LONG - MICHALE LONG is ORDERED to surrender the child to KELLY LONG at the Starbucks located at 4273 N Interstate Hwy 35, Waco, TX 76705at the end of each period of possession.

3. Surrender of Child by MICHAEL LONG - MICHAEL LONG is ORDERED to surrender the child to KELLY LONG, if the child is in MICHAEL LONG's possession or subject to MICHAEL LONG's control, at the beginning of each period of KELLY LONG's exclusive periods of possession, at the place designated in this Standard Possession Order.

4. Return of Child by KELLY LONG - KELLY LONG is ORDERED to return the child to MICHAEL LONG, if MICHAEL LONG is entitled to possession of the child, at the end of each of KELLY LONG's exclusive periods of possession, at the place designated in this Standard Possession Order.

5. Personal Effects - Each conservator is ORDERED to return with the child the personal effects that the child brought at the beginning of the period of possession.

6. Designation of Competent Adult - Each conservator may designate any competent adult to pick up and return the child, as applicable. IT IS ORDERED that a conservator or a designated competent adult be present when the child is picked up or returned.

7. Inability to Exercise Possession - Each conservator is ORDERED to give notice to the person in possession of the child on each occasion that the conservator will be unable to exercise that conservator's right of possession for any specified period.

8. Written Notice - Written notice, including notice provided by electronic mail or facsimile, shall be deemed to have been timely made if received

or, if applicable, postmarked before or at the time that notice is due. Each conservator is ORDERED to notify the other conservator of any change in the conservator's electronic mail address or facsimile number within twenty-four hours after the change.

This concludes the Standard Possession Order.

2. Duration

The periods of possession ordered above apply to each child the subject of this suit while that child is under the age of eighteen years and not otherwise emancipated.

3. Electronic Communication

For purposes of this order, the term "electronic communication" means any communication facilitated by the use of any wired or wireless technology via the Internet or any other electronic media. The term includes communication facilitated by the use of a telephone, electronic mail, instant messaging, videoconferencing, or webcam.

IT IS ORDERED that the conservators shall have electronic communication with the children to supplement their periods of possession as follows:

a. Weekend Communication- The parent who is with the child shall make the child available by Facetime or telephone on each Saturday at 7:00 p.m. so that the other parent may talk to the child. Time of the communication shall be limited to 30 minutes.

b. Weekday Communication during extended visitation- The Parent who is in possession of the child shall make the child available by Facetime or telephone on each Monday, Wednesday, and Friday at 7:00 p.m. so that the other parent may talk to the child. Time of the communication shall be limited to 30 minutes.

c. If a message is left from the parent who is not with the children, the other parent shall assist the children in returning the call within 24 hours.

IT IS ORDERED that each conservator shall -

a. provide the other conservator with the e-mail addresses and other electronic communication access information of the children within 3 days after the Court signs this order;

b. notify the other conservator of any change in the e-mail addresses or other

electronic communication access information not later than twenty-four hours after the date the change takes effect; and

c. if necessary equipment is reasonably available, accommodate electronic communication with the child with the same privacy, respect, and dignity accorded all other forms of access, at a reasonable time and for a reasonable duration subject to any limitation provided in this order.

4. Noninterference with Possession

Except as expressly provided herein, IT IS ORDERED that neither conservator shall take possession of the children during the other conservator's period of possession unless there is a prior written agreement signed by both conservators or in case of an emergency.

5. Termination of Orders

The provisions of this order relating to conservatorship, possession, or access terminate on the remarriage of MICHAEL LONG to KELLY LONG unless a nonparent or agency has been appointed conservator of the children under chapter 153 of the Texas Family Code.

Child Support

IT IS ORDERED that MICHAEL LONG is obligated to pay and shall pay to KELLY LONG child support of four hundred thirty-eight dollars and sixty-one cents ($438.61) per month, with the first payment being due and payable on September 1, 2017 and a like payment being due and payable on the 1st day of each month thereafter until the first month following the date of the earliest occurrence of one of the events specified below:

1. any child reaches the age of eighteen years or graduates from high school, whichever occurs later, subject to the provisions for support beyond the age of eighteen years set out below;

2. any child marries;

3. any child dies;

4. any child enlists in the armed forces of the United States and begins active service as defined by section 101 of title 10 of the United States Code; or

5. any child's disabilities are otherwise removed for general purposes.

Thereafter, MICHAEL LONG is ORDERED to pay to KELLY LONG child support of

three hundred sixty five dollars and seventy two cents ($365.72) per month, due and payable on the 1st day of the first month immediately following the date of the earliest occurrence of one of the events specified above for another child and a like sum due and payable on the 1st day of each month thereafter until the next occurrence of one of the events specified above for another child.

Thereafter, MICHAEL LONG is ORDERED to pay to KELLY LONG child support of two hundred ninety two dollars and fifty seven cents ($292.57) per month, due and payable on the 1st day of the first month immediately following the date of the earliest occurrence of one of the events specified above for another child and a like sum due and payable on the 1st day of each month thereafter until the next occurrence of one of the events specified above for another child.

If the child is eighteen years of age and has not graduated from high school, IT IS ORDERED that MICHAEL LONG's obligation to pay child support to KELLY LONG shall not terminate but shall continue for as long as the child is enrolled-

1. under chapter 25 of the Texas Education Code in an accredited secondary school in a program leading toward a high school diploma or under section 130.008 of the Education Code in courses for joint high school and junior college credit and is complying with the minimum attendance requirements of subchapter C of chapter 25 of the Education Code or

2. on a full-time basis in a private secondary school in a program leading toward a high school diploma and is complying with the minimum attendance requirements imposed by that school.

Withholding from Earnings

IT IS ORDERED that any employer of MICHAEL LONG shall be ordered to withhold the child support payments ordered in this order from the disposable earnings of MICHAEL LONG for the support of S.L., J.L. and L.L.

IT IS FURTHER ORDERED that all amounts withheld from the disposable earnings of MICHAEL LONG by the employer and paid in accordance with the order to that employer shall constitute a credit against the child support obligation. Payment of the full amount of child support ordered paid by this order through the means of withholding from earnings shall discharge the child support obligation. If the amount withheld from earnings and credited against the child support obligation is less than 100 percent of the amount ordered to be paid by

this order, the balance due remains an obligation of MICHAEL LONG, and it is hereby ORDERED that MICHAEL LONG pay the balance due directly to the state disbursement unit specified below.

On this date the Court authorized the issuance of an Income Withholding for Support.

Payment

IT IS ORDERED that all payments shall be made through the state disbursement unit at Texas Child Support Disbursement Unit, P.O. Box 659791, San Antonio, Texas 78265-9791, and thereafter promptly remitted to KELLY LONG for the support of the children.

IT IS ORDERED that each party shall pay, when due, all fees charged to that party by the state disbursement unit and any other agency statutorily authorized to charge a fee.

Change of Employment

IT IS FURTHER ORDERED that MICHAEL LONG shall notify this Court and KELLY LONG by U.S. certified mail, return receipt requested, of any change of address and of any termination of employment. This notice shall be given no later than seven days after the change of address or the termination of employment. This notice or a subsequent notice shall also provide the current address of MICHAEL LONG and the name and address of his current employer, whenever that information becomes available.

Clerk's Duties

IT IS ORDERED that, on the request of a prosecuting attorney, the title IV-D agency, the friend of the Court, a domestic relations office, KELLY LONG, MICHAEL LONG, or an attorney representing KELLY LONG or MICHAEL LONG, the clerk of this Court shall cause a certified copy of the Income Withholding for Support to be delivered to any employer.

Suspension of Withholding from Earnings

The Court finds that good cause exists that no order to withhold from earnings for child support should be delivered to any employer of MICHAEL LONG as long as no delinquency or other violation of this child support order occurs and as long as the Office of the Attorney General Child Support Division is not providing services to KELLY LONG. For the purpose of this provision, a delinquency has occurred if MICHAEL LONG has been in arrears for an amount due for more than thirty days or the amount of the arrearages equals or is greater than the amount due for a one-month period. If a delinquency or other violation occurs or if the Office of the Attorney General Child Support Division begins providing services to KELLY LONG, the

clerk shall deliver the order to withhold earnings as provided above.

Accordingly, IT IS ORDERED that, as long as no delinquency or other violation of this child support order occurs and as long as the Office of the Attorney General Child Support Division is not providing services to KELLY LONG, all payments shall be made through the state disbursement unit and thereafter promptly remitted to KELLY LONG for the support of the children. If a delinquency or other violation occurs or if the Office of the Attorney General Child Support Division begins providing services to KELLY LONG, all payments shall be made in accordance with the order to withhold earnings as provided above.

Health Care

1. IT IS ORDERED that MICHAEL LONG and KELLY LONG shall each provide medical support for the child as set out in this order as additional child support for as long as the Court may order MICHAEL LONG and KELLY LONG to provide support for the child under sections 154.001 and 154.002 of the Texas Family Code. Beginning on the day MICHAEL LONG and KELLY LONG's actual or potential obligation to support the child under sections 154.001 and 154.002 of the Family Code terminates, IT IS ORDERED that MICHAEL LONG and KELLY LONG are discharged from the obligations set forth in this medical support order, except for any failure by a parent to fully comply with those obligations before that date.

2. Definitions -

"Health Insurance" means insurance coverage that provides basic health-care services, including usual physician services, office visits, hospitalization, and laboratory, X-ray, and emergency services, that may be provided through a health maintenance organization or other private or public organization, other than medical assistance under chapter 32 of the Texas Human Resources Code.

"Reasonable cost" means the cost of health insurance coverage for a child that does not exceed 9 percent of MICHAEL LONG's annual resources, as described by section 154.062(b) of the Texas Family Code.

"Reasonable and necessary health-care expenses not paid by insurance and incurred by or on behalf of a child" include, without limitation, any copayments for office visits or prescription drugs, the yearly deductible, if any, and medical, surgical, prescription drug, mental health-care services, dental, eye care, ophthalmological, and orthodontic charges. These reasonable and

necessary health-care expenses do not include expenses for travel to and from the health-care provider or for nonprescription medication.

"Furnish" means -

a. to hand deliver the document by a person eighteen years of age or older either to the recipient or to a person who is eighteen years of age or older and permanently resides with the recipient;

b. to deliver the document to the recipient by certified mail, return receipt requested, to the recipient's last known mailing or residence address;

c. to deliver the document to the recipient at the recipient's last known mailing or residence address using any person or entity whose principal business is that of a courier or deliverer of papers or documents either within or outside the United States; or

3. Findings on Health Insurance Availability- Having considered the cost, accessibility, and quality of health insurance coverage available to the parties, the Court finds:

Health insurance is available or is in effect for the child through KELLY LONG's employment or membership in a union, trade association, or other organization.

MICHAEL LONG is ORDERED to pay KELLY LONG reasonable cash medical support, as additional child support, in an amount equal to 9% of his annual resources which is one hundred and sixt dollars and 00/100 ($160.00) per month, with the first installment being due and payable on September 1, 2017, and a like installment being due and payable on or before the 1st day of each month until the termination or modification of current child support for the child under this order.

IT IS FURTHER FOUND that the following orders regarding health-care coverage are in the best interest of the child.

4. Provision of Health-Care Coverage -

As child support, KELLY LONG is ORDERED to continue to maintain health insurance for the child who is the subject of this suit that covers basic health-care services, including usual physician services, office visits, hospitalization, laboratory, X-ray, and emergency services.

KELLY LONG is ORDERED to maintain such health insurance in full force and effect on the child who is the subject of this suit as long as child support is payable for that child.

KELLY LONG is ORDERED to convert any group insurance to individual coverage or obtain other health insurance for the child within fifteen days of termination of his employment or other disqualification from the group insurance. KELLY LONG is ORDERED to exercise any conversion options or acquisition of new health insurance in such a manner that the resulting insurance equals or exceeds that in effect immediately before the change.

KELLY LONG is ORDERED to furnish MCIHAEL LONG a true and correct copy of the health insurance policy or certification and a schedule of benefits within 10 days of the signing of this order. KELLY LONG is ORDERED to furnish MICHAEL LONG the insurance cards and any other forms necessary for use of the insurance within 10 days of the signing of this order. KELLY LONG is ORDERED to provide, within three days of receipt by him, to MICHAEL LONG any insurance checks, other payments, or explanations of benefits relating to any medical expenses for the child that MICHAEL LONG paid or incurred.

Pursuant to section 1504.051 of the Texas Insurance Code, IT IS ORDERED that if KELLY LONG is eligible for dependent health coverage but fails to apply to obtain coverage for the child, the insurer shall enroll the child on application of MICHAEL LONG or others as authorized by law.

Pursuant to section 154.183(c) of the Texas Family Code, the reasonable and necessary health-care expenses of the child that are not reimbursed by health insurance are allocated as follows: KELLY LONG is ORDERED to pay 50 percent and MICHAEL LONG is ORDERED to pay 50 percent of the unreimbursed health-care expenses if, at the time the expenses are incurred, KELLY LONG is providing health insurance as ordered.

The party who incurs a health-care expense on behalf of the child is ORDERED to furnish to the other party all forms, receipts, bills, statements, and explanations of benefits reflecting the uninsured portion of the health-care expenses within thirty days after he or she receives them. The nonincurring party is ORDERED to pay his or her percentage of the uninsured portion of the health-care expenses either by paying the health-care provider directly or by reimbursing the incurring party for any advance payment exceeding the incurring party's percentage of the uninsured portion of the health-care expenses within thirty days after the nonincurring party receives the forms, receipts, bills, statements, and explanations of benefits.

These provisions apply to all unreimbursed health-care expenses of the child who is the subject of this suit that are incurred while child support is payable for the child.

5. Secondary Coverage - IT IS ORDERED that if a party provides secondary health insurance coverage for the child, both parties shall cooperate fully with regard to the handling and filing of claims with the insurance carrier providing the coverage in order to maximize the benefits available to the child and to ensure that the party who pays for health-care expenses for the child is reimbursed for the payment from both carriers to the fullest extent possible.

6. Compliance with Insurance Company Requirements - Each party is ORDERED to conform to all requirements imposed by the terms and conditions of the policy of health insurance covering the child in order to assure the maximum reimbursement or direct payment by the insurance company of the incurred health-care expense, including but not limited to requirements for advance notice to any carrier, second opinions, and the like. Each party is ORDERED to use "preferred providers," or services within the health maintenance organization, if applicable. Disallowance of the bill by a health insurer shall not excuse the obligation of either party to make payment. Excepting emergency health-care expenses incurred on behalf of the child, if a party incurs health-care expenses for the child using "out-of-network" health-care providers or services, or fails to follow the health insurance company procedures or requirements, that party shall pay all such health-care expenses incurred absent (1) written agreement of the parties allocating such health-care expenses or (2) further order of the Court.

7. Claims - Except as provided in this paragraph, the party who is not carrying the health insurance policy covering the child is ORDERED to furnish to the party carrying the policy, within fifteen days of receiving them, any and all forms, receipts, bills, and statements reflecting the health-care expenses the party not carrying the policy incurs on behalf of the child. In accordance with section 1204.251 and 1504.055(a) of the Texas Insurance Code, IT IS ORDERED that the party who is not carrying the health insurance policy covering the child, at that party's option, may file any claims for health-care expenses directly with the insurance carrier with and from whom coverage is provided for the benefit of the child and receive payments directly from the insurance company. Further, for the sole purpose of section 1204.251 of the Texas Insurance Code, KELLY LONG is designated the managing conservator or possessory conservator of the child.

The party who is carrying the health insurance policy covering the child is ORDERED to submit all forms required by the insurance company for payment or reimbursement of health-

care expenses incurred by either party on behalf of the child to the insurance carrier within fifteen days of that party's receiving any form, receipt, bill, or statement reflecting the expenses.

8. Constructive Trust for Payments Received - IT IS ORDERED that any insurance payments received by a party from the health insurance carrier as reimbursement for health-care expenses incurred by or on behalf of the child shall belong to the party who paid those expenses. IT IS FURTHER ORDERED that the party receiving the insurance payments is designated a constructive trustee to receive any insurance checks or payments for health-care expenses paid by the other party, and the party carrying the policy shall endorse and forward the checks or payments, along with any explanation of benefits received, to the other party within three days of receiving them.

9. WARNING - A PARENT ORDERED TO PROVIDE HEALTH INSURANCE OR TO PAY THE OTHER PARENT ADDITIONAL CHILD SUPPORT FOR THE COST OF HEALTH INSURANCE WHO FAILS TO DO SO IS LIABLE FOR NECESSARY MEDICAL EXPENSES OF THE CHILD, WITHOUT REGARD TO WHETHER THE EXPENSES WOULD HAVE BEEN PAID IF HEALTH INSURANCE HAD BEEN PROVIDED, AND FOR THE COST OF HEALTH INSURANCE PREMIUMS OR CONTRIBUTIONS, IF ANY, PAID ON BEHALF OF THE CHILD.

Finding on Unpaid Medical Expenses

The parties agree and it is FOUND and CONFIRMED that MICHAEL LONG is in arrears for medical expenses in the amount of $434.20. IT IS ORDERED that MICHAEL LONG shall pay to KELLY LONG one hundred dollars ($100.00) beginning on August 1, 2017 and a like payment until said amount is paid in full.

Miscellaneous Child Support Provisions

Support as Obligation of Estate

IT IS ORDERED that the provisions for child support in this order shall be an obligation of the estate of MICHAEL LONG and shall not terminate on the death of MICHAEL LONG. Payments received for the benefit of the children, including payments from the Social Security Administration, Department of Veterans Affairs or other governmental agency or life insurance proceeds, annuity payments, trust distributions, or retirement survivor benefits, shall be a credit against this obligation. Any remaining balance of the child support is an obligation of MICHAEL LONG's estate.

Termination of Orders on Remarriage of Parties but Not on Death of Obligee

The provisions of this order relating to current child support terminate on the remarriage of MICHAEL LONG to KELLY LONG unless a nonparent or agency has been appointed conservator of the children under chapter 153 of the Texas Family Code. An obligation to pay child support under this order does not terminate on the death of MICHAEL LONG but continues as an obligation to S.L., J.L. and L.L.

Optimizing Development of Relationship between Parties and Children

IT IS ORDERED that MICHAEL LONG and KELLY LONG shall cooperate to secure counseling for the children at the discretion and expense of KELLY LONG. IT IS FURTHER ORDERED that MICHAEL LONG shall have the same right and access to the counselor and their records as KELLY LONG.

Coparenting Web Site Program

IT IS ORDERED that MICHAEL LONG and KELLY LONG each shall, within ten days after this order is signed by the Court, obtain at his or her sole expense a subscription to the AppClose program. IT IS FURTHER ORDERED that MICHAEL LONG and KELLY LONG each shall maintain that subscription in full force and effect for as long as any child is under the age of eighteen years and not otherwise emancipated.

IT IS ORDERED that MICHAEL LONG and KELLY LONG shall each communicate through the AppClose program with regard to all communication regarding the children, except in the case of an emergency or other urgent matter.

IT IS ORDERED that MICHAEL LONG and KELLY LONG each shall timely post all significant information concerning the health, education, and welfare of the children, including but not limited to the children's medical appointments, the children's schedules and activities, and request for reimbursement of uninsured health-care expenses, on the AppClose Internet Web site. However, IT IS ORDERED that neither party shall have any obligation to post on that Web site any information to which the other party already has access through other means, such as information available on the Web sites of the children's schools.

IT IS FURTHER ORDERED that MICHAEL LONG and KELLY LONG shall each timely post on the AppClose Internet Web site a copy of any e-mail received by the party from the children's schools or any health-care provider of the children, in the event that e-mail was not also forwarded by the schools or health-care provider to the other party.

For purposes of this section of this order, "timely" means on learning of the event or activity, or if not immediately feasible under the circumstances, not later than twenty-four hours after learning of the event or activity.

By agreement, the parties may communicate in any manner other than using the AppClose program, but other methods of communication used by the parties shall be in addition to, and not in lieu of, using the AppClose program.

Miscellaneous Provisions

1. Production of Documents-
    a. MICHAEL LONG shall provide to KELLY LONG copies of his 1040's filed with the IRS within 30 days of filing said documents. MICHAEL LONG and KELLY LONG agree to waive the requirement of three years or material and substantial change in circumstances to modify child support.
2. Prior Years Tax Returns-
    a. The parties agree that KELLY LONG has paid approximately $1,800.00 of joint tax liability for the 2010 and 2011 tax years and has not been repaid by MICHAEL LONG.
    b. KELLY LONG shall provide to MICHAEL LONG's attorney of record copies of the 2010 and 2011 tax returns and any deficiency notice from the IRS by August 11, 2017.
    c. MICHAEL LONG shall pay 50% of the amount paid by KELLY LONG to the IRS for tax years 2010 and 2011 within 120 days unless MICHAEL LONG is able to secure a refund from the IRS, in which case, the parties shall split the refund.

Injunctive Relief

The Court finds that, because of the conduct of MICHAEL LONG, a permanent injunction against him should be granted as appropriate relief because there is no adequate remedy at law.

The permanent injunction granted below shall be effective immediately and shall be binding on MICHAEL LONG; on his agents, servants, employees, and attorneys; and on those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise.

IT IS ORDERED that MICHAEL LONG is permanently enjoined from:

1. Publishing in any fashion or advising any person regarding sexual abuse allegations against KELLY LONG

Service of Writ

Petitioner and Respondent waive issuance and service of the writ of injunction, by stipulation or as evidenced by the signatures below. IT IS ORDERED that Petitioner and Respondent shall be deemed to be duly served with the writ of injunction.

Required Information

The information required for each party by section 105.006(a) of the Texas Family Code is as follows:

Name: MICHAEL LONG

Social Security number:	145
Driver's license number:	675 Issuing state: Texas
Current residence address:	3109 Douglas Fir Dr., New Braunfels, Texas 78130
Mailing address:	3109 Douglas Fir Dr., New Braunfels, Texas 78130
Home telephone number:	928-274-7867
Name of employer:	Self Employed
Address of employment:	N/A
Work telephone number:	N/A

Name: KELLY LONG

Social Security number:	991
Driver's license number:	Issuing state: Texas
Current residence address:	10412 Max Lane, Frisco, , Texas 75035
Mailing address:	1042 Max Lane, Frisco , Texas 75035
Home telephone number:	210-518-9419
Name of employer:	
Address of employment:	
Work telephone number:	

Required Notices

EACH PERSON WHO IS A PARTY TO THIS ORDER IS ORDERED TO NOTIFY EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY OF ANY CHANGE IN THE PARTY'S CURRENT RESIDENCE ADDRESS, MAILING ADDRESS, HOME TELEPHONE NUMBER, NAME OF EMPLOYER, ADDRESS OF EMPLOYMENT, DRIVER'S LICENSE NUMBER, AND WORK TELEPHONE NUMBER. THE PARTY IS ORDERED TO GIVE NOTICE OF AN INTENDED CHANGE IN ANY OF THE REQUIRED INFORMATION TO EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY ON OR BEFORE THE 60TH DAY BEFORE THE INTENDED CHANGE. IF THE PARTY DOES NOT KNOW OR COULD NOT HAVE KNOWN OF THE CHANGE IN SUFFICIENT TIME TO PROVIDE 60-DAY NOTICE, THE PARTY IS ORDERED TO GIVE

NOTICE OF THE CHANGE ON OR BEFORE THE FIFTH DAY AFTER THE DATE THAT THE PARTY KNOWS OF THE CHANGE.

THE DUTY TO FURNISH THIS INFORMATION TO EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY CONTINUES AS LONG AS ANY PERSON, BY VIRTUE OF THIS ORDER, IS UNDER AN OBLIGATION TO PAY CHILD SUPPORT OR ENTITLED TO POSSESSION OF OR ACCESS TO A CHILD.

FAILURE BY A PARTY TO OBEY THE ORDER OF THIS COURT TO PROVIDE EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY WITH THE CHANGE IN THE REQUIRED INFORMATION MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHED BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO $500 FOR EACH VIOLATION, AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

Notice shall be given to the other party by delivering a copy of the notice to the party by registered or certified mail, return receipt requested. Notice shall be given to the Court by delivering a copy of the notice either in person to the clerk of this Court or by registered or certified mail addressed to the clerk at 150 N. Seguin, New Braunfels, Texas 78130. Notice shall be given to the state case registry by mailing a copy of the notice to State Case Registry, Contract Services Section, MC046S, P.O. Box 12017, Austin, Texas 78711-2017.

NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU MAY USE REASONABLE EFFORTS TO ENFORCE THE TERMS OF CHILD CUSTODY SPECIFIED IN THIS ORDER. A PEACE OFFICER WHO RELIES ON THE TERMS OF A COURT ORDER AND THE OFFICER'S AGENCY ARE ENTITLED TO THE APPLICABLE IMMUNITY AGAINST ANY CLAIM, CIVIL OR OTHERWISE, REGARDING THE OFFICER'S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF THE OFFICER'S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE TO CHILD CUSTODY. ANY PERSON WHO KNOWINGLY PRESENTS FOR ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG AS TWO YEARS AND A FINE OF AS MUCH AS $10,000.

THE COURT MAY MODIFY THIS ORDER THAT PROVIDES FOR THE SUPPORT OF A CHILD, IF:

(1) THE CIRCUMSTANCES OF THE CHILD OR A PERSON AFFECTED BY THE ORDER HAVE MATERIALLY AND SUBSTANTIALLY CHANGED; OR

(2) IT HAS BEEN THREE YEARS SINCE THE ORDER WAS RENDERED OR LAST MODIFIED AND THE MONTHLY AMOUNT OF THE CHILD SUPPORT AWARD UNDER THE ORDER DIFFERS BY EITHER 20 PERCENT OR $100 FROM THE AMOUNT THAT WOULD BE AWARDED IN ACCORDANCE WITH THE CHILD SUPPORT GUIDELINES.

Warnings

WARNINGS TO PARTIES: FAILURE TO OBEY A COURT ORDER FOR CHILD

SUPPORT OR FOR POSSESSION OF OR ACCESS TO A CHILD MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHED BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO $500 FOR EACH VIOLATION, AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

FAILURE OF A PARTY TO MAKE A CHILD SUPPORT PAYMENT TO THE PLACE AND IN THE MANNER REQUIRED BY A COURT ORDER MAY RESULT IN THE PARTY'S NOT RECEIVING CREDIT FOR MAKING THE PAYMENT.

FAILURE OF A PARTY TO PAY CHILD SUPPORT DOES NOT JUSTIFY DENYING THAT PARTY COURT-ORDERED POSSESSION OF OR ACCESS TO A CHILD. REFUSAL BY A PARTY TO ALLOW POSSESSION OF OR ACCESS TO A CHILD DOES NOT JUSTIFY FAILURE TO PAY COURT-ORDERED CHILD SUPPORT TO THAT PARTY.

Attorney's Fees

IT IS ORDERED that neither party is obligated to pay attorney fees to the other party at this time. IT IS FURTHER ORDERED that in the event of future litigation between the parties, either party may claim and be awarded, at the discretion of the court, attorney fees for litigation to date.

Costs

IT IS ORDERED that costs of court are to be borne by the party who incurred them.

Merger of Mediated Agreement

This order is stipulated to represent a merger of a mediated settlement agreement between the parties. To the extent there exist any differences between the mediated settlement agreement and this order, this order shall control in all instances.

Discharge from Discovery Retention Requirement

IT IS ORDERED that the parties and their respective attorneys are discharged from the requirement of keeping and storing the documents produced in this case in accordance with rule 191.4(d) of the Texas Rules of Civil Procedure.

Relief Not Granted

IT IS ORDERED that all relief requested in this case and not expressly granted is denied.

Date of Order

SIGNED on July 9, 2020.

JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

Chacon, Campbell & Alexander, PLLC
110 Broadway, Suite 380
San Antonio, TX 78205
(210) 560-2260

By: _____
Meredith Chacon
SBN 24034980
mchacon@ccatxlaw.com
Attorney for Michael Long

The Wright Reneau Law Firm, PLLC
391 Landa Street
New Braunfels, TX 78130
Tel: (830) 625-6933
Fax: (830) 626-5452

By: _____
Tracie Wright-Reneau
State Bar No. 24051966
tracie@wrightreneaulaw.com
Attorney for Petitioner

CASTEEL & CASTEEL
254 East Mill Street
New Braunfels, TX 78130
Tel: (830) 608-1611
Fax: (830) 608-0449

By: _____
Carter Casteel
State Bar No. 03981600
Carter@casteellaw.com
Attorney for Respondent

APPROVED AND CONSENTED TO AS TO BOTH FORM AND SUBSTANCE.

_____
Respondent

_____
Petitioner

JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

The Wright Reneau Law Firm, PLLC
391 Landa Street
New Braunfels, TX 78130
Tel: (830) 625-6933
Fax: (830) 626-5452

By:
Tracie Wright-Reneau
State Bar No. 24051966
tracie@wrightreneaulaw.com
Attorney for Petitioner

CASTEEL & CASTEEL
254 East Mill Street
New Braunfels, TX 78130
Tel: (830) 608-1611
Fax: (830) 608-0449

By:
Carter Casteel
State Bar No. 03981600
Carter@casteellaw.com
Attorney for Respondent

APPROVED AND CONSENTED TO AS TO BOTH FORM AND SUBSTANCE:

Respondent

Petitioner

NO. 417-53803-2020

IN THE INTEREST OF	§	**IN THE DISTRICT COURT**
	§	
S.L, J.L. AND L.L.	§	**417th JUDICIAL DISTRICT**
	§	
MINOR CHILDREN	§	**COLLIN COUNTY, TEXAS**

AFFIDAVIT FOR KELLY LONG

Kelly Long appeared in person before me today and stated under oath:

"My name is Kelly Long. I am above the age of eighteen years, and I am fully competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

My name is Kelly Long (here after known as Kelly) and I am the Respondent/ Mother to Sophie Long, born on September 16, 2010, Jack Long born on November 11, 2011 and Lucas Long born on December 19, 2013. Their Father and Petitioner is Michael Long (here after known as Michael). Kourtney Chalmers, (here after known as Kourtney), Step-mom of the children.

On June 15, 2020; the children went with their dad for summer visitation

On June 11, 2020 at approximately 6pm or later, Sophie came to me and said, "it feels like there is a rod in my vagina." I calmly asked Sophie to tell me more and asked her if it itched and if she wanted me to check her down there. Sophie said no, she did not need to be checked down there. I then told her, that if she were feeling like that, it sounds serious and that in the morning if she still felt that way, I would take her to the doctor. Sophie said no that she did not want to go to the doctor. The following morning, June 12, 2020 when I woke up I asked Sophie

how she was feeling, and if she still felt the way she did the night before. Sophie said no, she was fine and it didn't bother her anymore. Since June 12, 2020, Sophie did not mention any discomfort or pain as I would have taken her to the doctor or to the emergency room. My mother, Kim Mitton was also present during these conversations with Sophie.

On June 28, 2020 I received a message on "AppClose" from Michael Long informing me that he had taken Sophie to the doctor on Friday, June 26, 2020 because Sophie told Kourtney on Thursday, June 25, 2020 that it was hurting when she urinated. This was not brought to my attention by Michael. On Sunday, June 28 2020, I was informed that she had been diagnosed with a urinary tract infection, that Sophie was given medication, and that Sophie's urine would be sent to a lab for further testing. On June 29, 2020 I responded to Michael's email and requested the Doctors information so that I could follow up, and explained to him the June 11, 2020 conversation that I had with Sophie and asked him several follow up questions regarding the information he had given me, please see Exhibit 1 attached hereto and incorporated for all intents and purposes.

On July 3, 2020, I received information from Michael on "AppClose" stating that Sophie had worsened and that she was taken to the emergency room where they told her she may have a yeast infection. He also stated that the doctor did not see any damage from the incident weeks prior when Sophie hit herself with the seat of her bicycle while out riding her bicycle (as seen in Exhibit 1).

July 10, 2020, I had my weekend with the children. When I picked up the kids, they all had to use the restroom. Sophie did not want to get in my vehicle and stayed by Michael's vehicle. Michael was talking to her privately and prolonging the exchange. I told Sophie that the

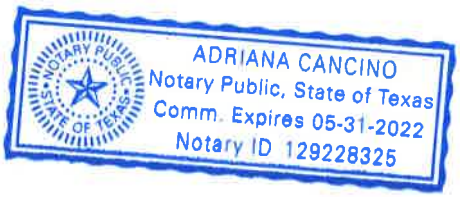
boys had to use the restroom and since the Starbucks was closed, we would have to go somewhere else to look for a restroom. When Sophie got in my vehicle, she then told me that she also had to use the restroom. I told her and the boys to hold it so we could drive to a restroom, which we did within minutes. Everyone went to the restroom and Sophie took a very long time. I knocked on the door and asked if she was ok and if she needed help with anything. Sophie told me she was fine and no, she didn't need help and walked out a few minutes later.

On July 12, 2020 I received a text message from Michael asking if there was anything he should know about their visit. Please see text messages in Exhibit 2 attached hereto and incorporated for all intents and purposes. I informed him that Sophie brought to my attention the mosquito bites and that I was sending her back to Michael with a bug repellent bracelet hoping that would help. I did not think much of Sophie's mosquito bites as all of the kids are outdoors a lot.

Regarding the alleged "incident" they are claiming occurred at "nana's house", Michael has already contacted Child Protective Services regarding this "incident". I was not aware that there even was an "incident" since the first time that I was told anything was through Child Protective Services. Michael claimed that on May 4, 2020, when he had a facetime visit with Jack, that Jack's eyes were rolling to the back of his head. I was present at this facetime visit and Jack's eyes did no such thing. The kid's step-Grandma, Nana Apperson was present during this call. Jack was being a normal child and making silly faces to Michael. Jack told Michael that he went out to the cow pasture with "Uncle Dan" and "Uncle Dan" jokingly told Jack to lick the "salt block". Jack decided to lick the salt block. This salt block is used on most farms that have cows to ensure the cows get enough sodium. On May 5, 2020 at 3:00am, Michael called the

police and had them come out to do a "welfare check" as he claimed he was worried about the children. When the police arrived, they saw that the children were sleeping and left. Michael's interpretation of all of this to Child Protective Services was that a mysterious man dropped off a package with powder and the powder was given to Jack. The children were drug tested due to these very serious allegations and all came out negative. Please see the drug tests in Exhibit 3, attached hereto and incorporated for all intents and purposes. This Child Protective Service case was closed out. Sophie has not been alone with "Uncle Dan" or any other male, and the last time she saw "Uncle Dan" was at this visit. "Uncle Dan" has been to our house on one occasion and the children were not at the home when he was there. I am not aware of any photos of Sophie's private area's being photographed. I have had discussions with Sophie about her private area and she has never referred to her private area as "vivi". Sophie has always referred to her private parts properly as "vagina". I have what I believe to be an open relationship with Sophie to ensure that she is comfortable talking to me about anything. I have discussed with all of my kids that it is always better to be honest because telling lies only gets you into more trouble and there are more consequences than if you are honest and truthful.

Michael has accused several people of sexually abusing the children, including me. Michael has a repeated pattern of behavior of creating stories and constantly contacting Child Protective Services. Please see Michael Long's affidavit attached hereto as Exhibit 4 and incorporated for all intents and purposes. I have cooperated with Child Protective Services with all cases opened due to Michael's allegations and they have all been closed. I have also attached a text message from the case worker, attached hereto as Exhibit 5 and incorporated herein for all intents and purposes."



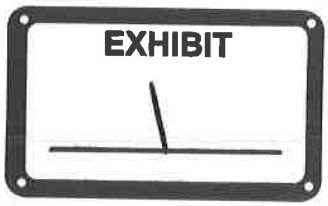
Kelly Long

SIGNED under oath before me on July 29, 2020.

Notary Public, State of Texas

AppClose®

Conversations



6/28/2020

Michael Long *on 6/28/2020 3:47PM said:*

Kelly,

A few nights back (Thursday), Sophie disclosed to Kourtney that it was hurting when she urinates. She gave her some cranberry juice and a cranberry concentrate under the advise that if it wasn't better by the next day, we'd need to have her go to the doctor. By the next day, she seemed a bit better, most of the day, until the evening came.

Upon speaking with her more (Friday), Sophie disclosed that she had brought it up with you a couple of times, but that she didn't want to go to the doctor because you told her that they would have to look at her vagina. This idea seems to bother her quite a bit. She also said that it felt like a needle in her. In asking how long it felt that way, she said that it felt worse a couple weeks prior. In her words, "it felt like a rod" in her.

I asked Kourtney to bring her to a clinic Friday evening, but they couldn't get in anywhere. On Saturday, they once again searched for a location and finally found a Texas Med Clinic in New Braunfels that would see her. They had her pee in a cup to analyze her urine. The doctor returned in short order and confirmed that she has an infection. He could apparently see it through the microscope.

He prescribed a 10 day cycle of Cephalexin 500mg. He also advised Kourtney that he would be sending her urine off to their lab for analysis so that they can identify the exact nature of the infection. I should hear from them by Tuesday.

I am surprised that she wasn't brought in when her issues were first disclosed while in your care, however, I'm assuming you had your reasons, which I would like to understand. I know you're aware that infections of this nature can progress and cause more serious issues.

I will keep you posted with an update on this topic after I hear back from the Doctor. Sophie took her second dose today and told me that she is feeling a bit better. I'm hopeful that this treatment will take care of the issue.

Michael

6/29/2020

Kelly Long *on 6/29/2020 6:33AM said:*

That sounds terrible! I hope she's feeling better. Please send along the Doctor's contact so I can follow up directly with them for information on the "exact nature of her infection."

Kelly Long *on 6/29/2020 6:36AM said:*

She complained about this one time, and I told her we would go to the doctor in the morning if it still felt bad. She woke up and said it was fine, and never mentioned it again.

Kelly Long *on 6/29/2020 6:38AM said:*

I'm very concerned that you couldn't find a doctor on Friday. Do you not have someone identified to care for the children medically?

Kelly Long *on 6/29/2020 6:39AM said:*

Why didn't you take her to the ER at that point if it was so bad?

Kelly Long *on 6/29/2020 12:31PM said:*

I can see you've received my message. Can you please send the doctors information? It should be directly on the prescription bottle.

Kelly Long *on 6/29/2020 12:46PM said:*

The doctors information is all I need, thank you.

Michael Long *on 6/29/2020 1:14PM said:*

I think the bigger issue is that an infection has been causing our daughter suffering for far longer than it should have and could have moved into her bladder or kidneys because you frightened her out of going to the doctor by telling her they were going to look at her "Vivi". According to Sophie, she told you about the discomfort more than once. I welcome an open conversation between you, Sophie, and Kourtney if we need to get the facts on the table.

Even if it hadn't been an infection, but was instead an injury to her privates caused by her bike, the conversation and approach should have been very different. You should have taken her in to make sure there wasn't damage that required some form of medical care. I would think after what happened to you with the toilet seat you would be more insistent about her being seen.

An emergency room seemed like a more risk filled option since they openly take COVID cases. Kourtney found a clinic that required anyone with COVID symptoms to make an appointment rather than just walk in. I would think you would be grateful she is getting the required treatment, rather than rambling on about going the next day when you yourself have already said that you told her you would take her the next day if it still felt bad. Why didn't you take her right away to an ER if that's the approach you think is best?

I'll send the doctors info. I spoke with them today and they are still waiting for results of their lab tests.

Michael Long *on 6/29/2020 1:15PM sent:*

(See attached on page 4)

Michael Long *on 6/29/2020 1:15PM sent:*

(See attached on page 5)

Michael Long *on 6/29/2020 1:16PM sent:*

(See attached on page 6)

Kelly Long *on 6/29/2020 2:13PM said:*

I'll call them directly.
Please let me know who their main primary doctor is while in your care.

Kelly Long *on 6/29/2020 2:15PM said:*

She's been with you for two weeks.

Kelly Long *on 6/29/2020 2:15PM said:*

You saw a Rodney? At which clinic?

Kelly Long *on 6/29/2020 2:16PM said:*

Why would you hide this information and make it so difficult to contact the Doctor? You've made it seem this is a very serious infection that he was appalled by. I'd appreciate you providing directly his name, clinic info and phone number.

Michael Long *on 6/29/2020 2:41PM said:*

Hiding information would be not giving you something you asked for, like when I asked the physical address of the children out of state because of very real concerns. I sent you a picture of the bottle and paper and assumed the number was on them since a phone number was listed. If that isn't the correct one, I apologize but there was zero intent to hide any information from you. The Texas Med Clinic (Oak Run) in New Braunfels. The exact physical address is 1922 TX-46, New Braunfels TX 78132. The Dr. R Menezes is listed as the prescribing doctor on the bottle.

Michael Long *on 6/29/2020 2:47PM said:*

Their primary medical care is taken care of while in their primary residence, which is why they have a primary physician. If an issue arises out of the norm, as in this case, we bring them to a Med clinic. If it's an emergency, they wouldn't be going to a primary physician anyway - they

would be going to an emergency room. If you'd like to discuss establishing a secondary/primary care physician, I'm open to it.

Michael Long *on 6/29/2020 2:57PM said:*

Also, please refer back to my original message on this topic. I never said he was appalled and I don't know the severity of the infection because I don't have the lab results. Feel free to reach out to them directly for results. I'd like to avoid any further confusion and inferences about the Doctor's feelings.

Kelly Long *on 6/29/2020 7:45PM said:*

I've attempted to call Sophie back four times after we somehow got disconnected.

6/30/2020

Kelly Long *on 6/30/2020 7:11PM said:*

How is Sophie doing today?

Michael Long *on 6/30/2020 7:13PM said:*

She seems to be good. No complaints about discomfort. She's gotten better at taking the antibiotic without an hour of coaching on how to do it.

7/3/2020

Michael Long *on 7/3/2020 6:51PM said:*

On 7-2-2020, Kourtney took Sophie to Little Spurs Pediatric Urgent Care in New Braunfels Texas (physical address: 312 FM 306 Suite 108, New Braunfels, TX 78130) after she had worsening symptoms that we felt needed to be seen ASAP. We called the ER in Seguin, but they had COVID positive patients. The nurse suggested telehealth, but we felt like an in-person visit at a safe location was important to help Sophie move towards relief from the symptoms and a cure quickly.

Sophie was seen by Valerie Hobbs. You can contact her to discuss Sophie's visit further. We chose this facility due to their safety process for COVID-19 and so that Sophie could be seen by a female in case she needed a medical professional to examine her and give a more accurate diagnosis. Valerie said she believes Sophie needs to finish her current medication to rid herself of the suspected UTI, that she had redness indicating an outer yeast infection, as well as Vulvitis, which she indicated could be related to the issue you had her seen for in the past regarding the thinning of the vaginal walls. She prescribed multiple ointments to help her improve. She did not see any damage from her incident with the bike, which is great news. She also mentioned that Sophie is showing signs of starting puberty. The number to the clinic is 830-302-4260 if you would like to discuss it in more detail.

Michael Long *on 7/3/2020 7:05PM said:*

Are you planning to call this evening? It's 7:05pm and Lucas is here waiting for you.

7/5/2020

Kelly Long *on 7/5/2020 4:00PM said:*

Thank you for the information on Sophie. I'm glad she is feeling better.

Kelly Long *on 7/5/2020 4:01PM said:*

The kids package was attempted to be delivered today but they could not leave it in a safe location because your gate was locked. They are going to reattempt later today; can you confirm you'll be home so I can tell them it's ok to leave outside the gate?

Michael Long *on 7/5/2020 4:33PM said:*

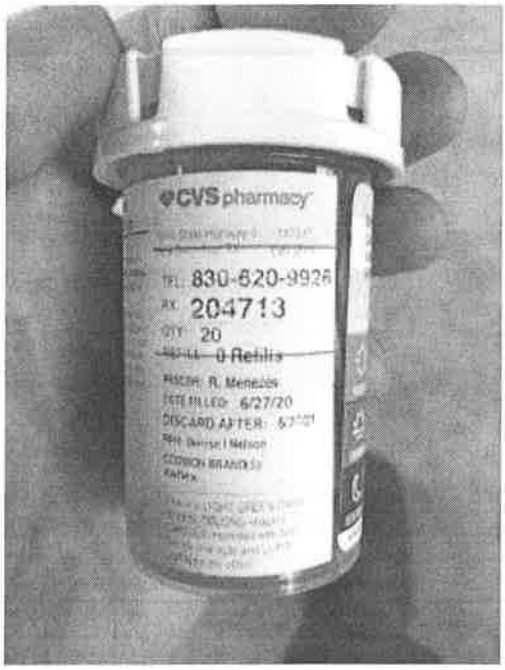
They delivered it. I wonder why they reported it that way. Sophie is making slime and the boys are arguing over who gets what nerf gun.

Kelly Long *on 7/5/2020 5:25PM said:*

Great, thank you! I hope they enjoy!

AppClose®

Attachment



Img. 810583D9-AD02-4353-93DD-8735C58D9ED6/L0/001.HEIC to page 2

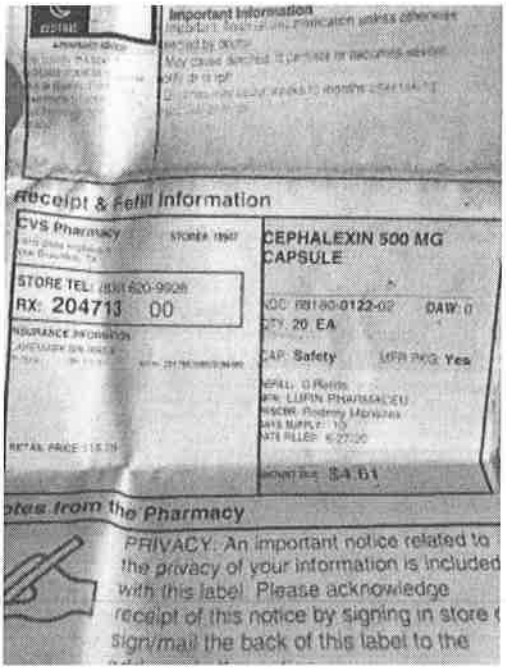
AppClose®

Attachment

Img. 0E76070C-C061-483E-83E6-8194ACA0D713/L0/001.HEIC to page 2

AppClose®

Attachment



Img. 17427174-4A3D-48E4-BCC6-EA4FD527F1A4/L0/001.HEIC to page 2

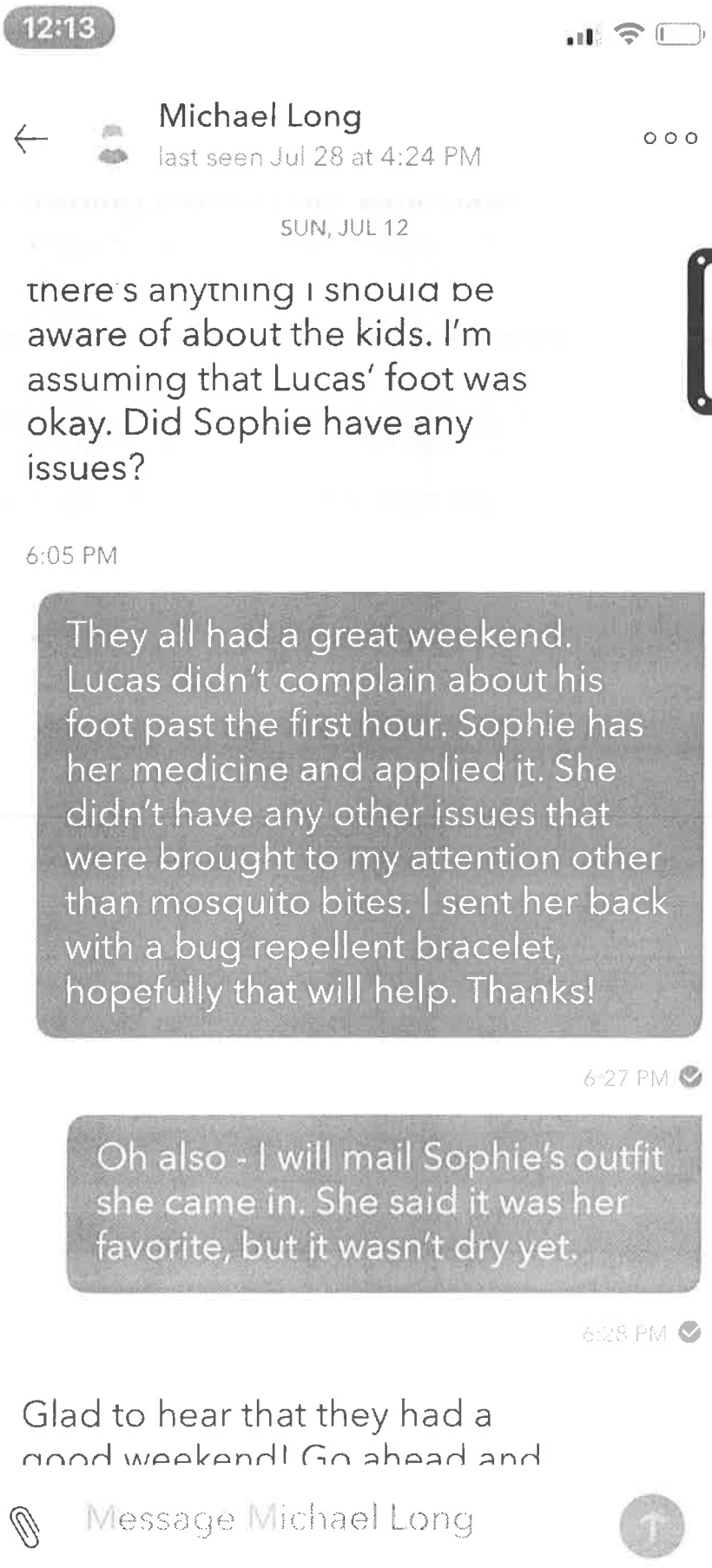

12:13
Michael Long
last seen Jul 28 at 4:24 PM
SUN, JUL 12
there's anything I should be aware of about the kids. I'm assuming that Lucas' foot was okay. Did Sophie have any issues?
6:05 PM
They all had a great weekend. Lucas didn't complain about his foot past the first hour. Sophie has her medicine and applied it. She didn't have any other issues that were brought to my attention other than mosquito bites. I sent her back with a bug repellent bracelet, hopefully that will help. Thanks!
6:27 PM
Oh also - I will mail Sophie's outfit she came in. She said it was her favorite, but it wasn't dry yet.
6:28 PM
Glad to hear that they had a
Message Michael Long

EXHIBIT 2

EXHIBIT
3

TEXAS
ALCOHOL AND
DRUG TESTING SERVICE

Test Results

Date Results Transmitted: 2020-06-06 7:42 PM
Transmitted By: DRN
Participant/Donor: JACK LONG
SSN/EID: 101477105
CCF/Specimen ID: CC01633345
Specimen Type: HAIR
Company: TXDFPS
Location: REGION 3
Lab Account Number: 10383921
2054 STATUS:

Reason for Test: RANDOM
Date Specimen Collected: 2020-06-04
Laboratory: Quest Diagnostics
Collection Site: BLUESTAR DIAGNOSTICS -
Collection Site Phone: 4696567999
Program: NONDOT
Date MRO Received CCF Copy 2: 2020-06-06
Date Test Verified by MRO: 2020-06-06

Test Results

Panel - HAIR SUBSTANCE ABUSE PANEL 5-EXP OPIATES 27480N

Drug	Results	Screen	Confirm
Amphetamines	NEGATIVE	300	300
Cocaine	NEGATIVE	300	300
Marijuana	NEGATIVE	1	.1
Opiates	NEGATIVE	500	500
Oxycodones	NEGATIVE	200	200
Phencyclidine (PCP)	NEGATIVE	300	300

MY DETERMINATION/VERIFICATION IS: **NEGATIVE**

Certified Medical Review Officer

David Nahin M.D.

Signature /s/ Nahin MD

The information contained in this message is CONFIDENTIAL and is for the intended addressee only. Any unauthorized use, dissemination of the information, or copying of this message is prohibited. If you believe you have received the message in error, please contact our Client Services Department at and delete the message without copying or disclosing it.

7160 Graham Road, Indianapolis, IN 46250 | Phone: 317-547-8620 | Fax: 317-983-7212

Case Number 2020060617442

EXHIBIT
4

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

NO. C2015-0238D

IN THE INTEREST OF	§	IN THE DISTRICT COURT
	§	
S.L., J.L. AND L.L.	§	433RD JUDICIAL DISTRICT
	§	
CHILDREN	§	COMAL COUNTY, TEXAS

PETITIONER'S SUPPORTING AFFIDAVIT

MICHAEL LONG appeared in person before me today and stated under oath:

"My name is MICHAEL LONG. I am above the age of eighteen years, and I am fully competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

"I am the Petitioner in this case.

"This weekend, it has come to my attention that my children may have been engaging in sexualized activity while not in my care. While I had concerns about this previously, it was only this weekend that my daughter made a statement that has caused me grievous concern. This Saturday my mother-in-law, Kathy Chalmers, told me that during a conversation during that last visit Sophie told her that her "vagina is really ticklish". This is absolutely not a normal statement from a 6-year-old girl.

"Kelly Long, my ex-spouse, has a family history of pedophilia and sexual perversion. Kelly forced her own younger sister and brother to engage in sexually explicit acts during her teenage years and I am now concerned that this sickness may be projected at our own children. I now feel a great fear they have been sexually abused by Kelly, a member of Kelly's family, or another person who is in frequent contact with the children in Dallas.

"In the last few months, my children have started making alarming statements about their genitals, pulling their butt cheeks apart and openly showing and touching their genitals while in common areas of our home. These issues are new and I feel these are things that a 6, 4, and 3-year-old just don't say or do unless they have been coached to think this is normal in my absence.

"During the last visit with my youngest child, Lucas (3), he was pulling his penis out of his underwear repeatedly. My wife, Kourtney, told him to keep his privates in his underwear.

Moments later, he pulled his penis out again and she asked him "Lucas, we have already talked about this. Where is a penis supposed to go?" Lucas responded by turning around and saying "In my butt". Additionally, over the past several visits, both of the boys have been experiencing pain and irritation of their anus. Initially. we thought it was from poor hygiene from not wiping properly and tried to teach them to use wet wipes to clean themselves thoroughly after pooping. Now based on my daughters most recent statement, I feel there is another reason for the boys' problems with their anus.

"My daughter Sophie has also had previous irritation in her private parts over the past couple visits. She would state that it was itchy and when my wife would check, it appeared to be red and irritated. Again, we thought maybe she was also not wiping well or possibly had a yeast infection of some sort somehow.

"These statements and actions by my children, coupled with Kelly's Long recent erratic behavior, have brought me to a point where I simply cannot return my children in good conscience.

"Kelly has displayed sporadic periods of reckless behavior with the children since our divorce was finalized, and although I had hoped she had recovered from her alcoholism, Kelly appears to be spiraling down the same path. We know she has a history of driving the kids while intoxicated since the date of the divorce, and her former Rackspace coworkers have stated that she would show up hungover or still intoxicated after driving the children to daycare in the morning.

"Since the date of divorce, while she was still residing in New Braunfels, a former neighbor indicated that Kelly was frequently intoxicated while we were relocated to Arizona and often was unable of trying to care for the children.

"Additionally, Natalie Blount (who is a pediatric nurse and has been around our children since birth) has disclosed to us that, since the divorce, Kelly Long would leave the children with her and other babysitters up to six nights a week while I was residing in Arizona. On these occasions, she would stay out drinking until 2 or 3 in the morning and would return so intoxicated she would be falling over.

"Natalie Blount recounted a specific incident where she discovered Kelly passed out in the driver's seat, with the car running in the middle of the street in front of her home at 2:00 a.m.

When Natalie woke her up, she could barely function and yet she still demanded to drive the children home. Natalie refused.

"Natalie informed us that she then went to Kelly Long's home to retrieve pajamas for the children and found the home in such a state of disaster that she called Kelly's parents and threatened to call CPS if they did not fly down from New York and get their daughter's (Kelly Long) drinking and lack of care for the children under control.

"Natalie also contacted us and informed me of this situation. At that point, I pulled every resource I had, along with great help and support from my family, to move back to Texas so that I could be a support for my children and care for them during my ex-spouse's recovery. My wife and I chose a home one mile from the children's house to be close to the children for their safety and protection.

"Upon learning of our move back to New Braunfels, we were then promptly informed that Kelly Long intended to move with the children to Dallas, Texas only a few months later. Despite my better judgment, and because she seemed to be stabilized, I agreed to allow her to move.

"Since the move, the children constantly talk about being taken to "the drop off place" after their school day or after being picked up from daycare but we do not know what or where this place is, or who is caring for the children at night. Further, given Kelly's significant history of alcoholism, we do not know if Kelly is intoxicated when she is picking them up and driving them home, and there is no one there to make sure our children are being cared for.

"Add to these statements that we have seen a re-emergence of the emotional outbursts and outlandish accusations we witnessed during the time she was excessively drinking. On Thursday I received several text messages from Kelly alleging that she would not be allowing the children to have their weekend visit with me due to the fact that she believed I was going to kill my children. I have never made a statement even remotely like this. And in fact, it is Kelly Long herself who has history of suicidal tendencies and mental illness to the point of being committed to a psychiatric institution in the State of New YOrk.

"After talking with New Braunfels Police Officers and an Investigator for CPS for almost two hours at my house on Friday morning, Kelly then showed up to deliver the children after 9:00 p.m. to me even though she had texted me less than 24 hours beforehand that she would not do so.

I currently have a real fear she has harmed and will continue to harm our children and herself during this time of mental and emotional distress. On top of the re-emergence of the alcohol issues, Kelly has an emotionally volatile relationship with a married man who is currently going through his own divorce. One minute, they are getting married and the next he is saying that she is psycho and no longer part of his life. I have made friends with his ex-spouse in an attempt to learn more about the man that is who is currently in proximity of my children, but I recently was made aware that his spouse has filed a Temporary Restraining Order due to his own volatile and erratic behavior.

"Based on all of Kelly's recent behaviors, along with the most recent alarming statement made by my daughter and the actions and issues my sons are having, I fear she is at a breaking point mentally and that if she was going to attempt another suicide that she would try to take the children with her. Kelly seems to be back in this state of mental disturbance and I cannot let my children go back to Dallas where there will be no one to stop her from causing them harm during this difficult time for her.

"I believe the children's present circumstances would significantly impair their physical health or emotional development.

"I am terrified of what is happening to my children at their mother's residence. I believe my children are being groomed for sexual abuse. I need to have my children placed with me, or even with a third party, so they can start counseling immediately and determine the level of damage done.

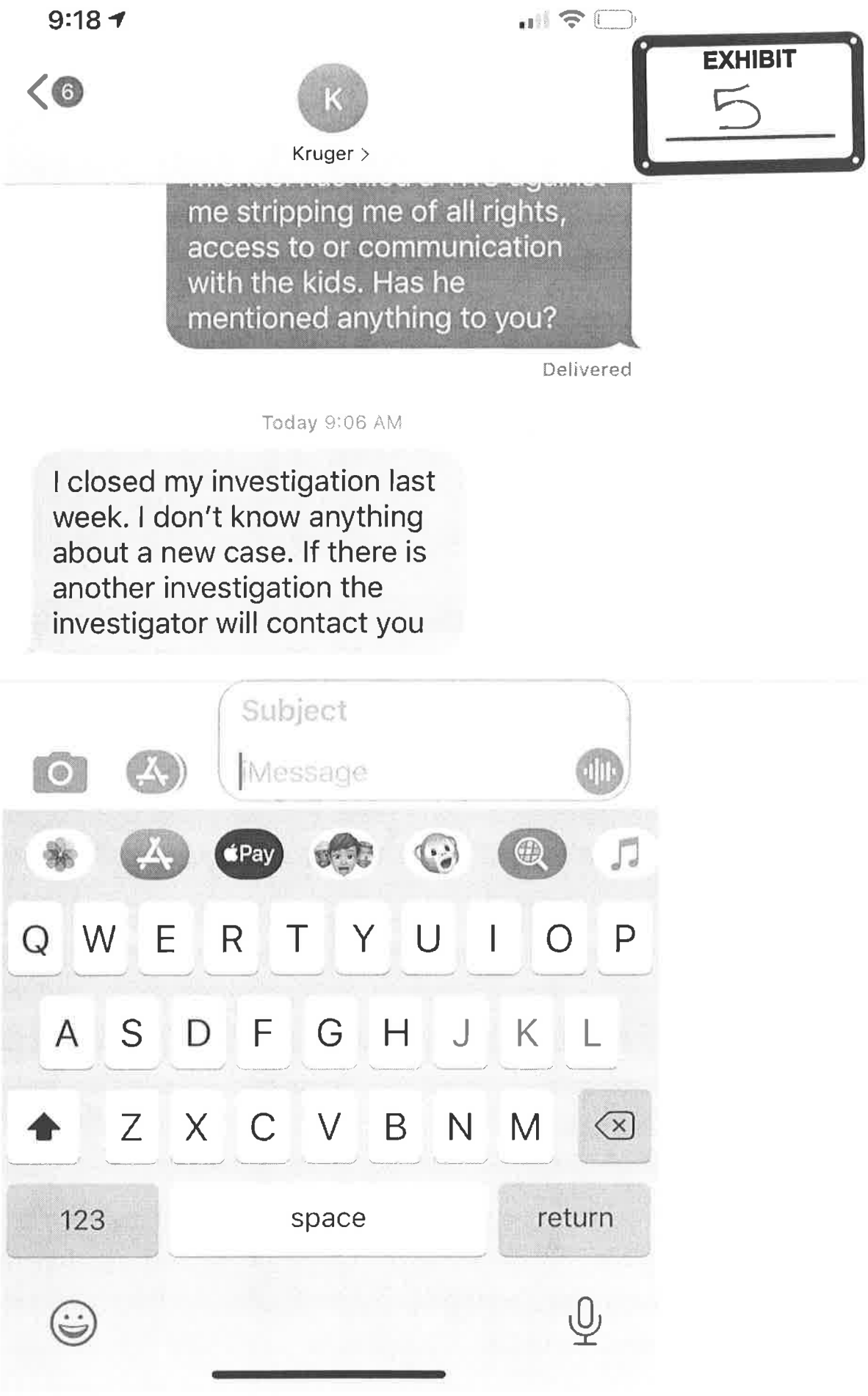
MICHAEL LONG

SIGNED under oath before me on April 17, 2017.

Amanda Miller-DeVage

Notary Public, State of Texas

AMANDA MILLER-DEVAGE
My Notary ID # 129374657
Expires April 4, 2021


9:18
6
K
Kruger >
EXHIBIT
5
me stripping me of all rights, access to or communication with the kids. Has he mentioned anything to you?
Delivered
Today 9:06 AM
I closed my investigation last week. I don't know anything about a new case. If there is another investigation the investigator will contact you
Subject
Message
Pay
Q W E R T Y U I O P
A S D F G H J K L
Z X C V B N M
123
space
return

199th Judicial District, Hon. Angela Tucker
219th Judicial District, Hon. Jennifer Edgeworth
296th Judicial District, Hon. John Roach, Jr.
366th Judicial District, Hon. Tom Nowak
380th Judicial District, Hon. Benjamin Smith
401st Judicial District, Hon. Mark Rusch

416th Judicial District, Hon. Andrea Thompson
417th Judicial District, Hon. Cynthia Wheless
429th Judicial District, Hon. Jill Willis
468th Judicial District, Hon. Lindsey Wynne
469th Judicial District, Hon. Piper McCraw
470th Judicial District, Hon. Emily A. Miskel
471st Judicial District, Hon. Andrea Bouressa

DISTRICT JUDGES
IN AND FOR
COLLIN COUNTY, TEXAS

STANDING ORDER ON CHILDREN, PROPERTY & CONDUCT OF PARTIES

On their own motion, the district judges issue this standing order, which shall apply to suits for dissolution of marriage and suits affecting the parent-child relationship, for the protection of the parties and their children, and for the preservation of their property.

1. SUITS FOR DISSOLUTION OF MARRIAGE

While a suit for dissolution of marriage is pending, it is ORDERED that each party is prohibited from:

1.1 Intentionally communicating in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, with the other party by use of vulgar, profane, obscene, or indecent language or in a coarse or offensive manner, with intent to annoy or alarm the other party;

1.2 Threatening the other party in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, to take unlawful action against any person, intending by this action to annoy or alarm the other party;

1.3 Placing a telephone call, anonymously, at an unreasonable hour, in an offensive and repetitious manner, or without a legitimate purpose of communication with the intent to annoy or alarm the other party;

1.4 Intentionally, knowingly, or recklessly destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of the parties or either party with intent to obstruct the authority of the court to order a division of the estate of the parties in a manner that the court deems just and right, having due regard for the rights of each party and any children of the marriage;

1.5 Intentionally falsifying a writing or record, including an electronic record, relating to the property of either party;

1.6 Intentionally misrepresenting or refusing to disclose to the other party or to the court, on proper request, the existence, amount, or location of any tangible or intellectual property of the parties or either party, including electronically stored or recorded information;

1.7 Intentionally or knowingly damaging or destroying the tangible or intellectual property of the parties or either party, including electronically stored or recorded information;

1.8 Intentionally or knowingly tampering with the tangible or intellectual property of the parties or either party, including electronically stored or recorded information, and causing pecuniary loss or substantial inconvenience to the other party;

1.9 Unless specifically authorized by the Court:

1.9.1 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of the parties or either party, regardless of whether the property is:

a) Personal property, real property, or intellectual property; or

b) Separate or community property;

1.9.2 Incurring any debt, other than legal expenses in connection with the suit for dissolution of marriage;

1.9.3 Withdrawing money from any checking or savings account in a financial institution for any purpose;

1.9.4 Spending any money in either party's possession or subject to either party's control for any purpose;

1.9.5 Withdrawing or borrowing money in any manner for any purpose from a retirement, profit sharing, pension, death, or other employee benefit plan, employee savings plan, individual retirement account, or Keogh account of either party; or

1.9.6 Withdrawing or borrowing in any manner all or any part of the cash surrender value of a life insurance policy on the life of either party or a child of the parties;

1.10 Entering any safe deposit box in the name of or subject to the control of the parties or either party, whether indivldually or jointly with others;

1.11 Changing or in any manner altering the beneficiary designation on any life insurance policy on the life of either party or a child of the parties;

1.12 Cancelling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time the suit was filed of, any life, casualty, automobile, or health insurance policy insuring the parties' property or persons, including a child of the parties;

1.13 Opening or diverting mail or e-mail or any other electronic communication addressed to the other party;

1.14 Signing or endorsing the other party's name on any negotiable instrument, check, or draft, including a tax refund, insurance payment, and dividend, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party;

1.15 Taking any action to terminate or limit credit or charge credit cards in the name of the other party;

1.16 Discontinuing or reducing the withholding for federal income taxes from either party's wages or salary;

1.17 Destroying, disposing of, or altering any financial records of the parties, including a canceled check, deposit slip, and other records from a financial institution, a record of credit purchases or cash advances, a tax return, and a financial statement;

1.18 Destroying, disposing of, or altering any e-mail, text message, video message, or chat message or other electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium;

1.19 Modifying, changing, or altering the native format or metadata of any electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium;

1.20 Deleting any data or content from any social network profile used or created by either party or a child of the parties;

1.21 Using any password or personal identification number to gain access to the other party's e-mail account, bank account, social media account, or any other electronic account;

1.22 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or any other contractual service, including security, pest control, landscaping, or yard maintenance at the residence of either party, or in any manner attempting to withdraw any deposit paid in connection with any of those services;

1.23 Excluding the other party from the use and enjoyment of a specifically identified residence of the other party; or

1.24 Entering, operating, or exercising control over a motor vehicle in the possession of the other party.

2. SPECIFIC AUTHORIZATIONS

This standing order does not:

2.1 Exclude a party from occupying the party's residence;

2.2 Prohibit a party from spending funds for reasonable and necessary living expenses;

2.3 Prohibit a party from engaging in acts reasonable and necessary to conduct that party's usual business and occupation;

3. SUITS AFFECTING THE PARENT-CHILD RELATIONSHIP

While a suit affecting the parent-child relationship is pending, it is ORDERED that each party is prohibited from:

3.1 During the pendency of an original suit, removing a child from the State of Texas for the purpose of changing the child's residence, acting directly or in concert with others, without the written agreement of the parties or an order from the presiding judge;

3.2 During the pendency of an original suit, disrupting or withdrawing a child from the school or day-care facility where the child is presently enrolled, without the written agreement of the parties or an order from the presiding judge;

3.3 During the pendency of an original suit, changing a child's current place of abode,

without the written agreement of the parties or an order from the presiding judge;

3.4 Hiding or secreting a child from the other parent; or

3.5 Disturbing the peace of a child

4. MANDATORY EXCHANGE OF INFORMATION

Within 30 days of a parent's appearance in a suit affecting the parent-child relationship, and before any hearing on temporary orders, each parent shall produce the following:

4.1 Information sufficient to accurately identify that parent's net resources and ability to pay child support;

4.2 Copies of income tax returns for the past two years, a financial statement, and current pay stubs;

4.3 Regarding each child's health insurance: the name of the carrier, the policy number, a copy of the policy and schedule of benefits; a health insurance membership card, and proof of the cost of the child's portion of the premiums; and

4.4 Regarding each child's dental insurance: the name of the carrier, the policy number, a copy of the policy and schedule of benefits, a dental insurance membership card, and proof of the cost of the child's portion of the premiums.

5. SERVICE & APPLICATION OF THIS ORDER

Each party must attach a copy of this order to the party's live pleading. This order is effective upon the filing of an original petition and shall remain in full force and effect as a temporary restraining order for fourteen days after the date of the filing of the original petition. If no party contests this order by presenting evidence at a hearing on or before fourteen days after the date of the filing of the original petition, this order shall continue in full force and effect as a temporary injunction until further order of this court. This entire order will terminate and will no longer be effective when the court signs a final order or the case is dismissed.

6. EFFECT OF OTHER COURT ORDERS

If any part of this order conflicts with any part of a protective order, the protective order shall prevail. Any portion of this order not changed by a subsequent order remains in full force and effect until the court signs a final order.

7. MEDIATION

The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative dispute resolution methods, such as mediation, to resolve the conflicts that may arise in this lawsuit.

SIGNED ON THE 3RD DAY OF OCTOBER, 2019.

HON. ANGELA TUCKER
199TH JUDICIAL DISTRICT COURT

HON. JENNIFER EDGEWORTH
219TH JUDICIAL DISTRICT COURT

HON. JOHN ROACH, JR.
296TH JUDICIAL DISTRICT COURT

HON. TOM NOWAK
366TH JUDICIAL DISTRICT COURT

HON. BENJAMIN SMITH
380TH JUDICIAL DISTRICT COURT

HON. MARK RUSCH
401ST JUDICIAL DISTRICT COURT

HON. ANDREA THOMPSON
416TH JUDICIAL DISTRICT COURT

HON. CYNTHIA WHELESS
417TH JUDICIAL DISTRICT COURT

HON. JILL WILLIS
429TH JUDICIAL DISTRICT COURT

HON. LINDSEY WYNNE
468TH JUDICIAL DISTRICT COURT

HON. PIPER MCCRAW
469TH JUDICIAL DISTRICT COURT

HON. EMILY A. MISKEL
470TH JUDICIAL DISTRICT COURT

HON. ANDREA BOURESSA
471ST JUDICIAL DISTRICT COURT

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Adriana Cancino on behalf of Amber Shemesh
Bar No. 24075066
acancino@shemeshfamilylaw.com
Envelope ID: 45130901
Status as of 08/05/2020 15:40:06 PM -05:00

Associated Case Party: Michael Long

Name	BarNumber	Email	TimestampSubmitted	Status
Meredith Mallonee Chacon	24034980	info@ccatxlaw.com	8/5/2020 3:34:01 PM	SENT

Associated Case Party: Kelly Long

Name	BarNumber	Email	TimestampSubmitted	Status
Amber Shemesh		amber@shemeshfamilylaw.com	8/5/2020 3:34:01 PM	SENT
Adriana Cancino		acancino@shemeshfamilylaw.com	8/5/2020 3:34:01 PM	SENT
Alexandra Willen		awillen@shemeshfamilylaw.com	8/5/2020 3:34:01 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Elizabeth A.Nielsen		enielsen@galyen.com	8/5/2020 3:34:01 PM	SENT
Celia Morgan		cmorgan@galyen.com	8/5/2020 3:34:01 PM	SENT